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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/305,815	05/04/1999	THOMAS C. CLARK	04860.P2297	2670

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
SEVENTH FLOOR  
12400 WILSHIRE BOULEVARD  
LOS ANGELES, CA 900251026

EXAMINER

LEFKOWITZ, SUMATI

ART UNIT

PAPER NUMBER

2181

DATE MAILED: 07/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/305,815

Applicant(s)

CLARK, THOMAS C.

Examiner

Sumati Lefkowitz

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-26 are pending.

#### ***Specification***

2. The abstract of the disclosure is objected to because

- on line 1, "USB" should read –Universal Serial Bus (USB)--

Correction is required. See MPEP § 608.01(b).

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1, 5-8, 12, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by

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Zou, 6,160,796.

As to claims 1, 5-8, 12, and 16, Zou discloses a method of notifying clients of a change in a system comprising a client requesting notification of the change in the system, detecting the change in the system, and notifying the client requesting notification that the change in the system occurred, maintaining a list of requests for notification, the client terminating the request for notification, and removing a request corresponding to the client from the list of requests for notification, the change in the system is connection of a device, the change in the system is disconnection of a device (note abstract, Figure 14, column 2, lines 2-44, column 3, lines 9-51, column 12, lines 1-18, column 13, lines 32-44, column 16, lines 22-46, column 24, lines 15-47, column 25, lines 11-45).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-4, 9-11, 13-15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zou, 6,160,796 in view of Stutz et al., 5,485,617 (hereinafter Stutz).

As to claims 2-4, 9-11, 13-15, and 17-20, Zou discloses the processor receiving a callback routine from the client when the client requests notification and the processor notifies the client by executing the callback routines (note abstract, Figure 14, column 2, lines 2-44, column 3, lines 9-51, column 12, lines 1-18, column 13, lines 32-44, column 16, lines 22-46,

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column 24, lines 15-47, column 25, lines 11-45), but fails to disclose maintaining a list of requests for notification, the client terminating a request for notification, or removing a request corresponding to the client from the list of requests for notification.

Stutz discloses maintaining a list of requests for notification, the client terminating a request for notification, and removing a request corresponding to the client from the list of requests for notification (note abstract, Figures 7 and 10, column 15, line 33 – column 16, line 57, and column 18, line 53 – column 19, line 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to maintain a list of requests for notification, terminate a request for notification, and removing a request corresponding to the client from the list of requests for notification in the system of Zou, as Stutz teaches, so as to allow for dynamic notification of clients as needed.

7. Claims 21 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zou, 6,160,796.

As to claims 21 and 24-26, the claimed elements have already been discussed with respect to claims 1, 5-8, 12, and 16 above, with the exception of detecting a change in a USB system and finding and deactivating a driver corresponding to a connected and disconnected, respectively, device.

Examiner takes Official Notice that USB is well known in the art of serial peripheral bus systems.

It would have been obvious to one of ordinary skill in the art at the time of the invention

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to employ a USB in the system of Seymour so as to be compatible with the most recent technological advancement in serial buses and so as to take advantage of the many benefits provided by USB, including high speed, low cost and hot-pluggability.

8. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zou, 6,160,796 in view of Falkenburg et al., 6,311,242 (hereinafter Falkenburg).

As to claims 22 and 23, Zou fails to disclose finding and deactivating a driver corresponding to a connected and disconnected, respectively, device.

Falkenburg discloses finding and deactivating a driver corresponding to a connected and disconnected, respectively, device (note column 8, line 19 - column 9, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to find and deactivate a driver corresponding to a connected and disconnected, respectively, device in the system of Zou, as Falkenburg teaches, so as to automatically allow for communication with a newly added device and free up resources for use without having to reboot the system, as Falkenburg teaches in column 8, line 19 – column 9, line 30, thereby minimizing the involvement of the user in configuring the system to recognize the newly added or removed device.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure, as the art discloses notification of changes in systems.

US Patents: 5,974,541 Hall et al.

5,805,886 Skarbo et al.

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5,532,945 Robinson

5,519,851 Bender et al.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumati Lefkowitz whose telephone number is 703-308-7790.

The examiner can normally be reached on Monday-Friday from 6:45-3:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Wong, can be reached at 703-305-3477.

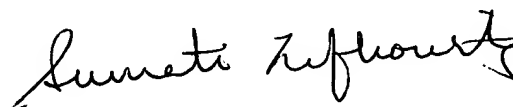
The fax phone numbers for the organization where this application or proceeding is assigned are:

703-746-7238 for After-Final communications

703-746-7239 for Official communications

703-746-7240 for Non-Official/Draft communications

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Sumati Lefkowitz  
Primary Examiner  
Art Unit 2181

sl  
July 12, 2002